



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/477,193	01/04/2000	JAMES R. TIGHE	062891.0292	8822

7590 09/27/2005

BAKER & BOTTS LLP
2001 ROSS AVENUE
DALLAS, TX 752012980

EXAMINER

COLIN, CARL G

ART UNIT	PAPER NUMBER
----------	--------------

2136

DATE MAILED: 09/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/477,193

Applicant(s)

TIGHE ET AL.

Examiner

Carl Colin

Art Unit

2136

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8-30 and 32-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-30 and 32-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 January 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

PD

DETAILED ACTION

Response to Arguments

1. In response to communications filed on 7/13/2005, applicant amends claims 1, 2, 14, 26, and 38. The following claims 1-6, 8-30, 32-45 are presented for examination.

1.1 Applicant's arguments, pages 14-18, filed on 7/13/2005, with respect to the rejection of claims 1-6, 8-30, 32-45, have been fully considered but they are not persuasive. In response to applicant's remarks "the Examiner has acknowledged that Hokari does not explicitly disclose media and streaming or the monitoring the type of streaming... Hokari necessarily cannot be said to disclose, teach, or suggest terminating the telecommunication link if the communications transmitted between the untrusted device and the trusted IP telephone are not media streaming to maintain the integrity of the trusted network", first, page 4 of the last office action, only recites "Hokari does not explicitly disclose monitoring the type of streaming"; second, Hokari's disclosure pertains to controlling and monitoring data streaming between trusted and untrusted network (see abstract) and specifically discloses in column 4, line 51 through column 5, line 7 "The access point PBX 103 decides whether the calling party number "03-3210-2222" of the calling subscriber 106 is registered in the ID table of the main memory 327 (S1031). If it is registered (YES of S1031), the connection of the call is permitted. On the other hand, if the calling party 106 is not registered in the ID table of the PBX 103 (NO of S1031), the connection of the call is not permitted and the call is disconnected (S1035)." Hokari discloses if unauthorized transmission is occurring, terminating call to maintain the integrity of the trusted

network. Applicant further argues that in Civanlar “the IP call set-up interface 101 merely sends and receives call setup requests”. Examiner respectfully disagrees. Civanlar recites column 5, line 50 through column 6 “an IP call set-up interface 101 is provided for receiving and terminating call setup requests... The interface 101 monitors the status of each call establishment session and transmits error messages as appropriate in the form of audio messages or digital data to each IP station participating in the session” and further discloses in column 7 “an IP packet mixer 201 provides control functionality that would otherwise be performed by IP call set-up interface 101 receives control packets, the control packets identify the type of voice encoding that is employed by the station, of course if no control information is provided previously defined default control parameters may be used, the IP packet mixer 201 is also used by an IP station to terminate its participation in a session...” Therefore, applicant has not overcome the rejection by amending the independent claims to recite “terminating the telecommunication link if the communications transmitted between the untrusted device and the trusted IP telephone are not media streaming to maintain the integrity of the trusted network”. This limitation is taught or suggested by the combined references as explained above. Claims 1-6, 8-30, and 32-45 remain rejected under 35 USC 103 in view of Hokari in combination with Civanlar et al and/or Cohen.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2.1 **Claims 1, 11-13, 35-37, and 43-45** are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 5,455,855 to **Hokari** in view of European Patent Publication EP 841831 A2 to **Civanlar et al** and in view of US Patent 6,389,462 to **Cohen et al.**

2.2 **As per claim 1, Hokari** substantially teaches a method for establishing a telephone call between a trusted Internet Protocol (IP) telephone and an untrusted device (abstract); the method comprising, receiving a call initiation request from an untrusted device external to a trusted network, indicating a desired communication with a trusted IP telephone coupled to the trusted network (column 4, lines 13-16); evaluating the call request and establishing a telecommunication link between the untrusted device and the trusted IP telephone in response to a positive evaluation of the call initiation request (column 4, lines 13-59); associating a first logical port with the trusted device and a second port logical port with the untrusted device (see figure 3); receiving first telecommunication data from the untrusted device at the first logical port (see column 4, lines 13-15); receiving second telecommunication data from the trusted device (see column 5, lines 15-17). **Hokari** suggests if unauthorized transmission is occurring,

Art Unit: 2136

terminating call to maintain the integrity of the trusted network (column 4, line 51 through column 5, line 7). **Hokari** does not explicitly disclose monitoring the type of streaming.

Civanlar et al in an analogous art discloses evaluating the call initiation request; wherein evaluating the call initiation request comprises determining whether the call request is requesting the establishment of media streaming (column 5, line 50 through column 6, and column 6, line 17 through column 7, line 45; column 8, lines 13-17). **Civanlar et al** further discloses establishing communication between two devices over a telephony network that includes processing each incoming stream, performing encoding translation into a format compatible with the voice decoding capabilities of each receiving station as identified by the serving manager, de-encapsulating to a format appropriate..., identifying control information received such as type of voice encoding, sending digital voice signal to the voice to the voice format interface to perform echo cancellation, voice encoding, encryption, protocol conversion, de-encapsulation, and packetization, etc. that meets the recitation of monitoring communications transmitted between the devices on the telecommunication link to ensure that the communications are media streaming to maintain the integrity of the trusted network, for example (see column 6, lines 6-17 and column 6, line 54 through column 8, line 3). **Civanlar et al** discloses gateways that can communicate with network employing different transmission standards and be able to convert and manage call signaling among different network to a format that is understood by the interface or type of voice encoding that is employed by the station, for example (see column 5, lines 1-25 and column 6, lines 38-58). **Civanlar** recites column 5, line 50 through column 6 “an IP call set-up interface 101 is provided for receiving and terminating call setup requests and further discloses in column 7 “an IP packet mixer 201 provides control functionality that would

Art Unit: 2136

otherwise be performed by IP call set-up interface 101 receives control packets, the control packets identify the type of voice encoding that is employed by the station, of course if no control information is provided previously defined default control parameters may be used, the IP packet mixer 201 is also used by an IP station to terminate its participation in a session...”

that meets the recitation of terminating the telecommunication link if the communications transmitted between the untrusted device and the trusted IP telephone are not media streaming to maintain the integrity of the trusted network. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify **Hokari** to evaluate the call initiation request wherein evaluating the call initiation request comprises determining whether the untrusted device is requesting the establishment of media streaming with the trusted device; to monitor communications transmitted between the untrusted device and the trusted IP telephone on the telecommunication link to ensure that the communications are media streaming; and to terminate the telecommunication link when communications are not media streaming because different formats can be used by different stations and communications cannot be established, so **Civanlar et al**’s invention provides the capabilities of conversion of the transmission format, audio coding translation, and address translation so that communications can be established between different transmission standards and provides the capability of controlling the type of voice encoding including terminating communication link as taught by **Civanlar et al**. One skilled in the art would have recognized the advantage of monitoring media streaming to provide conversion of the transmission format, audio coding translation, and address translation to enable, control, and terminate communications between different

Art Unit: 2136

transmission standards and transmitting error messages as appropriate as suggested by **Civanlar et al** (column 3, lines 29-50 and column 6, lines 13-17).

Hokari further discloses the step of modifying the sub-address information to specify the ISDN numbers assigned to the PBXs (see column 4, line 33 through column 5, line 35). To one skilled in the art, the ISDN numbers meet the recitation of the ports of the proxy. However, **Cohen et al.** in an analogous art discloses modifying a first source address information to specify the second logical port of the telephone proxy and communicating the data with the modified first source address information to the server (see column 8, lines 28-37); modifying a second source address in the second telecommunication data to specify the first logical port of the telephone proxy and communicating the data with the modified second source address information to the client (see column 8, lines 37-49). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of **Hokari** to provide the step of modifying a first source address information to specify the second logical port of the telephone proxy and communicating the data with the modified first source address information to the trusted device and reverse it to communicate with the untrusted device as taught by **Cohen et al.** to establish a transparent connection between the trusted device and the untrusted device. One skilled in the art would have been lead to make such a modification because it would establish a transparent connection between the trusted device and the untrusted device as suggested by **Cohen et al** (see abstract).

As per claim 11, **Cohen et al.** in an analogous art teaches modifying source address information in the received telecommunication data to specify a second logical port of the

Art Unit: 2136

telephone proxy associated with the untrusted device and communicating the data with the modified source address information to the trusted IP telephone (see column 8, lines 28-37 and lines 37-49). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method as combined above to provide the step of modifying source address information in the received telecommunication data to specify a second logical port of the telephone proxy associated with the untrusted device and communicating the data with the modified source address information to the trusted IP telephone as taught by **Cohen et al.** to establish a transparent connection between the trusted device and the untrusted device. One skilled in the art would have been lead to make such a modification because it would establish a transparent connection between the trusted device and the untrusted device as suggested by **Cohen et al** (see abstract).

As per claims 12 and 44, Civanlar et al discloses the limitation of a system capable of associating connectionless packet to enable the streaming of IP packets (column 4, lines 8-20) that meets the recitation of wherein associating a first logical port of the telephony proxy with the untrusted device comprises associating a User Datagram Protocol (UDP) logical port to enable the streaming of IP packets and first and second ports are UDP logical ports. Therefore, claims 12 and 44 are rejected on the same rationale as the rejection of claims 1 and 11.

As per claims 13 and 45, Cohen et al. discloses the limitation of wherein modifying the source address information in the received telecommunication data comprises modifying a

Art Unit: 2136

source IP address and a source port in a header of each IP packet (see column 8, lines 28-37 and lines 37-49). Therefore, claim 13 is rejected on the same rationale as the rejection of claim 11.

Claims 35-37 recite the same limitations as claims 11-13 respectively by referring to a software instead of a method and are rejected on the same rationale as the rejection of claims 11-13.

As per claim 43, claim 43 recites some of the limitations found in claim 11 and is rejected on the same rationale as the rejection of claim 11.

3. **Claims 2-6, 8-10, 14-30, 32-34, and 38-42** are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 5,455,855 to **Hokari** in view of European Patent Publication EP 841831 A2 to **Civanlar et al.**

3.1 **As per claim 2**, claim 2 recites some of the limitations found in claim 1 and is rejected on the same rationale as the rejection of claim 1.

As per claim 3, **Hokari** discloses the limitation of wherein receiving a call initiation request from the untrusted device comprises intercepting a call initiation request at an entry point to the trusted network servicing the trusted IP telephone, the call initiation request sent from outside the trusted network by the untrusted device (see column 4, lines 13-16 and column 4, lines 38-43).

As per claim 4, Hokari discloses the limitation of wherein evaluating the call initiation request comprises determining whether the trusted IP telephone is a proper recipient of a telephone call from an untrusted device (see column 4, lines 13-37 and column 2, lines 48-53).

As per claims 5-6, Hokari discloses the limitation of wherein determining whether the trusted IP telephone is a proper recipient of a telephone call from an untrusted device comprises determining whether a network address of the trusted IP telephone is included in a list of approved network addresses and whether a network address of the untrusted device is included in a list of approved network addresses (see column 2, lines 48-53). It is obvious that the identification numbers referred to herein can be in form of network addresses in an internet connection as address translation is disclosed in Civanlar et al.

As per claim 8, Hokari discloses the limitation of wherein establishing a telecommunication link between the untrusted device and the trusted IP telephone comprises establishing a telecommunication link using PBX 103 that meets the recitation of a telephony proxy whereby all telecommunications between the trusted IP telephone and the untrusted device are communicated through the telephony proxy (see figure 1).

As per claims 9 and 10, the combination Hokari and Civanlar et al discloses monitoring the telecommunication link to determine whether the telecommunications being sent by the untrusted device comprise media streaming and use an appropriate audio format (see

Civanlar et al, column 5, line 50 through column 6, and column 6, line 17 through column 7, line 15; column 8, lines 13-17) as discussed in claim 1 above and therefore claims 9 and 10 are rejected on the same rationale as the rejection of claim 1.

Claims 14 and 26 recite the same limitations as claim 2 except for incorporating the claimed method into a network and a software. **Hokari** discloses a trusted telephone coupled to a first trusted network (see abstract) and also discloses a control unit that meets the recitation of authentication controller (column 4, lines 38-50) for evaluating call initiation request as discussed in claim 1 above and access point that meets the recitation of call manager (column 4, lines 50-67) operable to initiate the creation creation of a telecommunication link in response to a positive evaluation as discussed in claim 1 above. Claims 14 and 15 are therefore rejected on the same rationale as the rejection of claims 1 and 2.

As per claim 15, **Hokari** discloses the limitation of wherein the call manager is further operable to initiate the creation of a telecommunication link between the untrusted device and the trusted telephone comprises establishing a telecommunication link using PBX 103 that meets the recitation of a telephony proxy whereby all telecommunications between the trusted telephone and the untrusted device are communicated through the telephony proxy (see figure 1).

Claim 16 recites the same limitation as claim 14 implemented in software and is rejected on the same rationale as the rejection of claim 14.

As per claim 17, **Hokari** discloses a control unit that meets the recitation of authentication controller (column 4, lines 38-50) and access point that meets the recitation of call manager (column 4, lines 50-67); the control unit is a component of the access point that meets the recitation of wherein the authentication controller is a component of the call manager.

As per claims 18-20, the combination **Hokari** and **Civanlar et al** discloses the claimed network of claim 14. **Civanlar et al** in an analogous art discloses IP network, an ISDN network coupled to the Internet and a PSTN using a gateway, which is well known in the art, for example (see column 2, line 56 through column 3, line 32). To one skilled in the art, it is apparent that the invention of **Hokari** can be coupled to the Internet. Therefore, they are rejected on the same rationale as the rejection of claim 1.

As per claim 21, the additional trusted network is a design choice and does not depart from the spirit and scope of the invention of **Hokari**, which is not limited to one network. To a person having ordinary skill in the art, it is obvious that the communication network described by **Hokari** may comprise a second trusted network.

Claims 22 and 23 recite the same limitation as claims 5-6 wherein the authentication controller comprises list of addresses of network devices permitted to receive telephone calls from the untrusted and list of network addresses permitted to communicate with the trusted telephone (column 2, lines 48-53 and columns 4-5). It is obvious that the identification numbers

Art Unit: 2136

referred to herein can be in form of network addresses in an internet connection as disclosed in column 32, lines 27-50 of Civanlar et al.

Claims 24-25 recite the same limitations as claims 9-10 and are rejected on the same rationale as the rejection of claims 9-10.

Claims 27-30, 32-34 recite the same limitations as found in claims 3-6, 8-10 respectively by referring to a software instead of a method and are rejected on the same rationale as the rejection of claims 3-10.

Claim 38 recites the same limitations as claims 14 and 15 except for incorporating the claimed method into an apparatus and combining the functions of the network into an apparatus require routine skilled in the art. Claim 38 is rejected on the same rationale as the rejection of claims 14 and 15.

Claims 39-42 recite the same limitations as claims 22-25 respectively by referring to an apparatus instead of a network and are rejected on the same rationale as the rejection of claims 22-25.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

4.1 The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Many of the claimed features, i.e. list of network addresses permitted or denied access between trusted and untrusted, call evaluation based on media streaming, ISDN coupled to the Internet, etc. are disclosed in these references.

US Patents : 6,363,411 Dugan et al.; 6,020,915 Bruno et al.; 6,487,196 Verthein et al.

5,642,407 He; 5,583,863 Darr, Jr. et al. 6,594,699 Sahai et al.

Foreign Patent Publication: WO 98/11704 Lee et al.


Art Unit: 2136

4.2 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carl Colin whose telephone number is 571-272-3862. The examiner can normally be reached on Monday through Thursday, 8:00-6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Carl Colin
Patent Examiner
September 20, 2005


Primary Examiner
A02131
9/22/05